

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RAFAEL SANCHEZ, individually, and on behalf of
others similarly situated,

Plaintiff,

-against-

VALENTINE2400 LLC, JOHN DOE a/k/a SIMON, and
JOHN DOE a/k/a JOHN

Defendants.

21-cv-4942 (ARR) (RLM)

Opinion & Order

**Not for electronic or print
publication**

ROSS, United States District Judge:

This Court has received the Report and Recommendation on the instant case dated September 29, 2022, from the Honorable Roanne L. Mann, United States Magistrate Judge. Judge Mann recommended that the Court approve the settlement agreement between the parties, finding that the settlement agreement is the product of arms-length negotiations and satisfies the criteria in *Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015). The parties acknowledged on the record that modifications to the settlement agreement require judicial approval. Both parties waived objections.

When clear notice of the consequences of a failure to object has been provided and there are no objections to a report and recommendation issued by a magistrate judge, the Court may adopt an unobjected-to report and recommendation without *de novo* review. *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002); *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those

findings.”). In such circumstances, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985).

Having reviewed the record, I find no clear error. I therefore adopt the Report and Recommendation as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, the motion for settlement approval is granted.

SO ORDERED.

/s/
Allyne R. Ross
United States District Judge

Dated: September 29, 2022
Brooklyn, New York